

Minutes
Board of Supervisors
Work Session
August 4, 2020

Members Present: Morgan Phenix, Chairman At-Large
D. Keith Guzy, Jr., District 1
Mark Stroupe, District 3
Larry Foltz, District 4
Jeff Vaughn, District 5

Members Absent: Allen Louderback, District 2

Staff Present: Amity Moler, County Administrator
Regina Miller, Assistant County Administrator
Nathan Miller, County Attorney

Call to Order:

Chairman Morgan Phenix called to order the work session of the Page County Board of Supervisors on August 4, 2020, at 7:00 p.m., in the Board of Supervisors Room located in the Page County Government Center, 103 South Court Street, Luray, VA 22835. Due to the COVID-19 pandemic, in-person attendance was limited, therefore the meeting was lived streamed. The Call to Order was followed by a Moment of Silence and the *Pledge of Allegiance*.

Resolution for Bridge Naming:

Mrs. Moler presented the Board with a Resolution requesting the Commonwealth Transportation Board to name the Bixler's Ferry Bridge over U. S. Highway 211 West as the "Emmett Arthur Dougans Memorial Bridge".

Motion: Supervisor Vaughan moved to adopt the Resolution for Bridge Naming, as presented. Supervisor Foltz seconded and the motion carried by a vote of 5-0. Aye: Phenix, Guzy, Stroupe, Foltz, Vaughan. Nay: None. Absent: Louderback.

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#2020-14

RESOLUTION FOR BRIDGE NAMING

Naming of the bridge on Route 675, Bixler's Ferry Road, known as Bixler's Ferry Bridge, over U. S. Highway 211 West in Page County as the "Emmett Arthur Dougans Memorial Bridge"

WHEREAS, Emmett Arthur Dougans of Luray, Virginia, was born on 24 July 1943 and served five years in the U. S. Army, 1st Infantry Division the “The Big Red One” in both the Vietnam War and in Europe; and

WHEREAS, Emmett Arthur Dougans having entered active duty 31 October 1960, at 17 years of age, decided to make the Army his career with his second re-enlistment and distinguished service during combat missions including Operations El Paso I & El Paso II; and

WHEREAS, Emmett Arthur Dougans was the recipient of the Purple Heart, Good Conduct Medal, and the Army Commendation for a 30 April 1966 encounter with the Viet Cong, which says in part, “When his unit became heavily engaged by Viet Cong forces, Dougans completely disregarded his personal safety to pass on attack and maneuver orders. He accompanied his unit as it closed in and destroyed the insurgent force.” and

WHEREAS, Emmett Arthur Dougans was KIA (Killed In Action), at the age of 22, from small arms fire, on 9 July 1966, while engaging a hostile force at the Battle of Suoi Lap, Minh Thanh Road at Binh Long Province South Vietnam and is buried in Hillside Cemetery, Luray, VA; and

WHEREAS, Emmett Arthur Dougans wrote his last letter to his sister and said, “I did not want to come to Vietnam....since I see how communism works, I’d rather die than see my family or the United States under communism”; and

WHEREAS, Emmett Arthur Dougans became the first person of Page County to selflessly sacrifice his own life in defense of his country; and

WHEREAS, this Board wishes to memorialize the life and sacrifice of Emmett Arthur Dougans.

NOW, THEREFORE, BE IT RESOLVED, that Page County, in accordance with Section 33.2-213 of the *Code of Virginia*, does hereby request that the Commonwealth Transportation Board name the bridge on Route 675, Bixler’s Ferry Road, over U. S. Highway 211 West in Page County as the “Emmett Arthur Dougans Memorial Bridge”.

BE IT FURTHER RESOLVED, that Page County agrees to pay the costs of producing, placing, and maintaining the signs calling attention to this naming.

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Sheriff FY20 Budget & Salary Discussion:

Sheriff Chad Cubbage was present to discuss the budget overages for FY2020. He said many of the overages were out of his control. He gave a summary of overages in Law Enforcement and Jail. He said court security issues have been addressed with the Board year after year as well as inmate housing. One of the jail studies he had done indicated that he needed 14 more positions in the jail. The community corrections study was also

done that said the Board should be commending the Sheriff and his staff for what they are doing. He said when he assumed office in 2016, the jail was out of compliance in many areas; however, he has received 100% on all accreditation standards for the agency four years in a row. He said there are rumors about his staff not being certified, but it is not true because they would not get 100% accreditation. He said he was notified that all County employees received a 3% cost of living pay increase, in July, except the Sheriff's Office employees. He said this is wrong. The men and women in the Sheriff's Office are risking their lives every day. He said he needs a budget that is adequately funded so he can provide the best service to the citizens.

Supervisor Guzy asked the Sheriff if he had negotiated the payment due from Cooter's for their event held last year. The Sheriff said Mrs. Moler spoke with the County Attorney about a payment agreement. Supervisor Guzy suggested the Sheriff meet with the owners of Cooter's to negotiate payment. Sheriff Cubbage said he has sent them letters but has not received any response. Mrs. Moler said she spoke with the Sheriff about coming to an agreement for payment with them because she does not want to put them out of business. Supervisor Guzy then asked the Sheriff if he assisted with an event in the Town of Elkton. The Sheriff replied that he did. He asked the Sheriff if he invoiced the Town and received payment for that assistance. Sheriff Cubbage indicated that he chose not to invoice them. He said he was asked by the Elkton Police Department to provide them with assistance and he does not feel it is right to bill them for assistance when it is the right thing to do. Supervisor Guzy then asked about the overage in uniforms. The Sheriff responded that when employees leave the agency, he has to purchase uniforms for the new hires. He noted that the turnover was due to entitlement of people in certain positions and he did not address it prior to the election. He said he made changes to the agency and once he did so, those people became disgruntled and left. Supervisor Guzy indicated that the Sheriff gave one employee a \$10,000 raise and another employee a \$133 raise. The Sheriff stated that the pay is within the pay scale and is in line with other jurisdictions. Supervisor Guzy then indicated that the Sheriff failed to attend a required Compensation Board training. Sheriff Cubbage stated that he takes full responsibility for not attending the Lawful Employment Training and as the consequence he loses 9% of his salary. However, the Board should not punish his staff by not giving them a pay increase. Supervisor Guzy said because he did not attend the Compensation Board training, he lost \$8,402. His request to the Board was, "I will adjust the salary line accordingly" if they would not reduce his salary by that amount. Sheriff Cubbage indicated that there was money within the salary line to continue paying the \$8,402 for his salary.

Chairman Phenix stated that when a Sheriff's employee does something wrong, he is not convinced that they are disciplined. For example, one of the deputies, showed up at an individual's house, in uniform, in a county car, to ream that person out for calling the Sheriff's Office a joke. Sheriff Cubbage said the complaint has not been brought to his attention.

Supervisor Guzy asked why some employees are allowed to mark on as COVID overtime and not mark on through 911 dispatch and other employees are allowed to write COVID overtime as a bonus. Sheriff Cubbage said he does not know what he is talking about.

At this point, during the discussion, Sheriff Cubbage left the meeting.

Supervisor Vaughan said the Board knows there is a need for change and improvement. He said the Sheriff needs to come to the County Administrator in a timely manner to present these situations. For example, when someone owes an invoice, such as Cooter's, someone needs to communicate and meet with them to get it resolved. He said he would like to see documentation on how much manpower and how many hours per week is spent on courthouse security. As far as assisting the Town of Elkton with their event, it comes with a cost. Further, he said that he should not cut the staff's salary just to makeup the difference for his 9% pay decrease for not attending the training. He said he would like the County Administrator to ask the Sheriff what he is going to do with the cost improvements, within the current parameters. He said he would also like to know how many of his staff in attendance, at this meeting, was on paid duty and how many were paid overtime to attend, and if so what the justification for it is. He said the Board will support public safety in the County, but there has to be communication and logical explanations for the overages.

After discussion, the Board asked Mrs. Moler and the Sheriff to review the current expenses and give a report at the end of August. They noted that communication and transparency need to be key in these discussions. Spending should be for needs and not wants. New uniforms for seasoned deputies can wait; tinting vehicle windows, even though it is a safety issue for the deputies, can also wait, if there is not enough money. Also, it was stated that Sheriff Cubbage should not have left the meeting.

Adjourn: 8:28 p.m.

With no further business, Chairman Phenix adjourned the meeting.



Morgan Phenix, Chairman



Amity Moler, County Administrator